THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 19024 of 2005

Dated: 15.09.2005

Between

T.Srinivasa Rao

..Petitioner

and

1.The Secretary, Education Department, Government of

A.P, Secretariat Buildings, Hyderabad and others.

..Respondents

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 19024 of 2005

ORDER: *(per the Hon'ble Smt. Justice T. Meena Kumari)*

The present writ petition has been filed assailing the order, dated 16.06.2005, in M.A.No.1115 of 2005 in MASR No.4158 of 2005 in O.A.No.6387 of 1998 on the file of the A.P. Administrative Tribunal, Hyderabad (for short 'the Tribunal').

The petitioner filed the above said application to condone the delay of two years four months and 25 days in filing the M.A.(SR), which was filed to set aside the order of the Tribunal in O.A.No.6387 of 1998, dated 29.10.2002, and to restore the same to its file. The Tribunal dismissed the M.A. filed for condonation of delay on the ground that it has no power to do so. A Full Bench of this Court in *G. Narasimha Rao v. Regional Joint Director of School Education* held that the Tribunal will not have jurisdiction to condone the delay by taking the aid and assistance of either Section 21(3) or Section 29(2) of the Limitation Act.

Since the Tribunal has no power to condone the delay, in view of the reason set-forth in the affidavit filed in support of the writ petition, We are satisfied that there is sufficient cause in filing the application to condone the delay. Accordingly, the order of the Tribunal is set aside and the matter is remanded to the Tribunal for passing the orders in accordance with law within three months from the date of receipt of a copy of this order.

The writ petition is, therefore, allowed. No costs.

(T. Meena Kumari.J)

(P. Lakshmana Reddy.J)

ksld

Dt.15.09.2005